



General Assembly

January Session, 2007

Raised Bill No. 7029

LCO No. 3751

03751_____TRA

Referred to Committee on Transportation

Introduced by:
(TRA)

***AN ACT CONCERNING TECHNICAL REVISIONS TO THE STATUTES
ADMINISTERED BY THE DEPARTMENT OF MOTOR VEHICLES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (e) of section 14-10 of the general statutes is
2 repealed and the following is substituted thereof (*Effective October 1,*
3 *2007*):

4 (e) In the event (1) a federal court judge, federal court magistrate or
5 judge of the Superior Court, Appellate Court or Supreme Court of the
6 state, (2) a member of a municipal police department or a member of
7 the Division of State Police within the Department of Public Safety, (3)
8 an employee of the Department of Correction, (4) an attorney-at-law
9 who represents or has represented the state in a criminal prosecution,
10 [or] (5) a member or employee of the Board of Pardons and Paroles, (6)
11 a state or federal probation officer, or (7) other state law enforcement
12 officer, as recognized by the commissioner submits a written request
13 and furnishes such individual's business address to the commissioner,
14 such business address only shall be disclosed or available for public
15 inspection to the extent authorized by this section.

16 Sec. 2. Subsection (a) of section 14-36g of the general statutes is
17 repealed and the following is substituted in lieu thereof (*Effective*
18 *October 1, 2007*):

19 (a) Each person who holds a motor vehicle operator's license and
20 who is sixteen or seventeen years of age shall comply with the
21 following requirements:

22 (1) Except as provided in subsection (b) of this section, for the
23 period of three months after the date of issuance of such license, such
24 person shall not transport more than (A) such person's parents or legal
25 guardian, at least one of whom holds a motor vehicle operator's
26 license, or (B) one passenger who is a driving instructor licensed by the
27 Department of Motor Vehicles, or a person twenty years of age or
28 older who has been licensed to operate, for at least four years
29 preceding the time of being transported, a motor vehicle of the same
30 class as the motor vehicle being operated and who has not had his or
31 her motor vehicle operator's license suspended by the commissioner
32 during such four-year period;

33 (2) Except as provided in subsection (b) of this section, for the
34 period beginning three months after the date of issuance of such
35 license and ending six months after the date of issuance of such license,
36 such person shall not transport any passenger other than as permitted
37 under subdivision (1) of this subsection and any additional member or
38 members of such person's immediate family;

39 (3) No such person shall operate any motor vehicle for which a
40 public passenger transportation permit is required in accordance with
41 the provisions of section 14-44 or a vanpool vehicle, as defined in
42 section 14-1;

43 (4) No such person shall transport more passengers in a motor
44 vehicle than the number of seat safety belts permanently installed in
45 such motor vehicle;

46 (5) [For a period of six months after the date of issuance of such
47 license, no] No such person issued a motorcycle endorsement shall
48 transport any passenger on a motorcycle for a period of six months
49 after the date of issuance; and

50 (6) Except as provided in subsection (b) of this section, no such
51 person shall operate a motor vehicle on any highway, as defined in
52 section 14-1, at or after midnight until and including 5:00 a.m. of the
53 same day unless (A) such person is traveling for his or her
54 employment or school or religious activities, (B) there is a medical
55 necessity for such travel, or (C) such person is an assigned driver in a
56 Safe Ride program sponsored by the American Red Cross, the Boy
57 Scouts of America or other national public service organization.

58 Sec. 3. Section 14-289a of the general statutes is repealed and the
59 following is substituted in lieu thereof (*Effective October 1, 2007*):

60 A person operating a motorcycle shall ride only upon the
61 permanent and regular seat attached thereto, and such operator shall
62 not carry any other person nor shall any other person ride on a
63 motorcycle unless such motorcycle is properly equipped to carry more
64 than one person, in which event a passenger may ride upon the
65 permanent and regular seat if designed for two persons, or upon
66 another seat firmly attached to the rear or side of the operator. No
67 operator of a motorcycle who has not held [a license] an endorsement
68 to operate a motorcycle for a period of three months shall carry any
69 other person on such motorcycle, except that any sixteen or seventeen-
70 year old shall not transport any passenger on a motorcycle for a period
71 of six months after obtaining such endorsement. Violation of any
72 provision of this section shall be an infraction.

73 Sec. 4. Subsection (b) of section 14-44e of the general statutes is
74 repealed and the following is substituted in lieu thereof (*Effective*
75 *October 1, 2007*):

76 (b) The commissioner shall not issue a commercial driver's license or

77 a commercial driver's instruction permit to any person who has a
 78 physical or psychobehavioral impairment that affects such person's
 79 ability to operate a commercial motor vehicle safely. In determining
 80 whether to issue a commercial driver's license in any individual case,
 81 the commissioner shall apply the standards set forth in 49 CFR 391.41,
 82 as amended. [unless it is established that the person will operate such
 83 vehicle only in this state, in which case the commissioner shall apply
 84 the standards set forth in this chapter and in regulations adopted
 85 thereunder.] Any person who is denied a commercial driver's license
 86 or a commercial driver's permit, or whose license or permit is
 87 suspended, revoked or cancelled pursuant to this subsection shall be
 88 granted an opportunity for a hearing in accordance with the provisions
 89 of chapter 54.

90 Sec. 5. Subsection (b) of section 14-50 of the general statutes is
 91 repealed and the following is substituted in lieu thereof (*Effective*
 92 *October 1, 2007*):

93 (b) There shall be charged for each examination of an operator of a
 94 motor vehicle a fee of forty dollars. [There] The fee may be charged
 95 [for each] at the time of advance appointment for an operator's license
 96 examination [a fee of fifteen dollars] which fee shall be paid to the
 97 commissioner at least six business days prior to the date of the
 98 appointment. [and shall be applied toward the examination fee if the
 99 applicant keeps the appointment.] If the applicant fails to keep the
 100 appointment, the [appointment] fee shall be forfeited, unless [(1)] in
 101 the judgment of the commissioner, the applicant's failure to keep the
 102 appointment was due to exigent circumstances. [, or (2) the applicant
 103 reschedules the appointment.]

104 Sec. 6. Section 14-103a of the general statutes is repealed and the
 105 following is substituted in lieu thereof (*Effective October 1, 2007*):

106 Any motor vehicle, that has been reconstructed, or is composed or
 107 assembled from the several parts of other motor vehicles, or the
 108 identification and body contours of which are so altered that the

109 vehicle no longer bears the characteristics of any specific make of
110 motor vehicle, or declared a total loss by any insurance carrier and
111 subsequently [rebuilt,] reconstructed shall be inspected by the
112 commissioner to determine whether the vehicle is properly equipped,
113 in good mechanical condition and in the possession of its lawful
114 owner. Such vehicle shall be presented for inspection at any
115 Department of Motor vehicles office or any official emissions
116 inspection station authorized by the Commissioner of Motor Vehicles
117 to conduct such inspection. The commissioner may require any person
118 presenting any such reassembled, altered or [rebuilt] reconstructed
119 vehicle for inspection to provide proof of lawful purchase of any major
120 component parts not part of the vehicle when first sold by the
121 manufacturer. The fee for such inspection shall be eighty-eight dollars.
122 The inspection fee shall be in addition to regular registration fees. All
123 moneys received from the fee imposed pursuant to this section and
124 collected at an official emissions inspection station shall be deposited
125 in a separate safety inspection account within the Emissions Inspection
126 Fund. As used in this section, "reconstructed" refers to every motor
127 vehicle materially altered from its original construction by the
128 removal, addition or substitution of essential parts, new or used.

129 Sec. 7. Section 14-163d of the general statutes is repealed and the
130 following is substituted in lieu thereof (*Effective October 1, 2007*):

131 (a) At least once every six months, each owner of a motor vehicle
132 described in subsection (a) of section 14-163c shall file with the
133 Commissioner of Motor Vehicles evidence that the owner has in effect
134 the security requirements imposed by law for each such motor vehicle.
135 The evidence shall be filed in such form as the commissioner
136 prescribes in accordance with a schedule established by the
137 commissioner. At least once every two years, the evidence of security
138 shall be accompanied by a motor carrier identification report that
139 meets the requirements of 49 CFR 390.19, as amended from time to
140 time. The report shall be in such form as the commissioner prescribes.

141 (b) In addition to other penalties provided by law, the
142 Commissioner of Motor Vehicles, after notice and opportunity for
143 hearing in accordance with chapter 54, shall suspend the registration
144 of each motor vehicle registered in the name of any owner who fails to
145 file a motor carrier identification report or to provide satisfactory
146 evidence of the security requirements imposed by law.

147 (c) Each filing made in accordance with the provisions of subsection
148 (a) of this section by each for-hire motor carrier or private motor
149 carrier of property or passengers, and each owner of any motor vehicle
150 that transports hazardous materials, as described in subsection (a) of
151 section 14-163c shall provide satisfactory evidence of insurance
152 coverage or other security in amounts not less than are required by the
153 provisions of Title 49, Part 387 of the Code of Federal Regulations, as
154 amended. Such requirement concerning the amount of security that
155 must be evidenced to the commissioner may be made applicable by the
156 commissioner to the initial registration of any such motor vehicle,
157 including the registration of any motor vehicle under the International
158 Registration Plan, in accordance with the provisions of section 14-34a.

159 Sec. 8. Section 14-261a of the general statutes is repealed and the
160 following is substituted in lieu thereof (*Effective October 1, 2007*):

161 (a) A commercial vehicle combination may be operated [,] by any
162 person who holds [(1)] an endorsed commercial driver's license [, (2)]
163 or a CDL equivalent license [, (3) an endorsed class 1 license, or (4) an
164 operator's license issued by another state authorizing such person to
165 operate a commercial vehicle combination, together with an
166 endorsement issued by the Commissioner of Motor Vehicles in
167 accordance with the provisions of subsection (b) of this section,] on
168 highways which are part of the National System of Interstate and
169 Defense Highways and those sections of the Federal-Aid Primary
170 System which are divided highways with four or more lanes and full
171 control of access, which highways and sections are designated by the
172 Secretary of the federal Department of Transportation pursuant to the

173 Surface Transportation Assistance Act of 1982, as amended, provided
174 the Commissioner of Transportation shall impose reasonable
175 restrictions consistent with federal law. The Commissioner of
176 Transportation may permit the operation of a commercial vehicle
177 combination, defined as "specialized equipment" in the Code of
178 Federal Regulations Title 23, Part 658, as amended, by any person
179 holding a license to operate a commercial vehicle combination as
180 provided in this section and semitrailers, as described in subsection (c)
181 of section 14-262, on any other highway in order to allow the vehicle
182 reasonable access to terminals, facilities for food, fuel, repairs and rest,
183 and points of loading and unloading for household goods carriers. If a
184 commercial vehicle combination consists of two semitrailers or a trailer
185 drawing a semitrailer, such trailers shall be coupled by a converter
186 dolly or a type of dolly approved by the Commissioner of Motor
187 Vehicles.

188 [(b) The Commissioner of Motor Vehicles shall establish an
189 endorsement for persons who are eligible to operate a commercial
190 vehicle combination but do not hold an endorsed commercial driver's
191 license, a CDL equivalent license, or a class 1 license. To obtain such
192 endorsement, the operator shall demonstrate personally to the
193 commissioner, his deputy, a motor vehicle inspector or an agent of the
194 commissioner that he (1) has held a license issued by another state for
195 at least three years which permits him to operate a commercial vehicle
196 combination, (2) has a level of motor vehicle operating experience
197 satisfactory to the commissioner, including but not limited to, passing
198 a commercial vehicle combination driving test conducted by the
199 commissioner, and (3) has not violated any of the provisions of section
200 14-219, 14-222 or 14-224 or subsection (a) of section 14-227a, or any
201 similar provisions of the laws of any other state or any territory, within
202 a three-year period, or been convicted of, or forfeited any bond taken
203 for appearance for, or had his case nolledd upon payment of any sum of
204 money in connection with, or received a suspended judgment or
205 sentence for, a violation of any of said provisions within a three-year
206 period, or a second violation within a twelve-month period of the

207 provisions of sections 14-230 to 14-249, inclusive, or of any similar
208 provisions of the laws of any other state or any territory, or been held
209 or found criminally responsible in connection with any motor vehicle
210 accident resulting in the death of any person, provided the
211 commissioner may waive the requirement of a driving test under
212 subdivision (2) of this subsection for any applicant for an endorsement
213 who demonstrates to the commissioner that he has had at least three
214 years experience in operating commercial vehicle combinations or that
215 he held a valid class 1A license on June 1, 1989. Each person holding a
216 valid class 1A license on June 1, 1989, shall, not later than December 31,
217 1989, surrender such license to the commissioner who shall thereupon
218 issue an endorsement to such person.

219 (c) (1) The Commissioner of Motor Vehicles shall establish a
220 commercial vehicle combination safety inspection program under
221 which each commercial vehicle combination subject to safety
222 inspection shall be examined or tested with respect to the operation,
223 condition or performance of its brakes, tires, wheels, mirrors, operating
224 controls, glazing, lighting devices, suspension, steering, exhaust
225 system and electrical system. After the initial inspection of each
226 commercial vehicle combination, the commissioner shall provide for a
227 system of staggered annual inspections for such vehicles.

228 (2) On and after July 14, 1984, no commercial vehicle combination
229 shall be operated in the state unless it displays a currently valid
230 certificate of inspection issued under this section or an equivalent
231 certificate issued by another state, provided (A) any vehicle which is
232 subject to registration and inspection in the state and which has been
233 outside the state continuously for thirty days or more and which, at the
234 time of reentering the state, does not bear a currently valid certificate
235 of inspection may be operated in the state for a period of ten days after
236 reentering the state, (B) any vehicle may be operated in the state for a
237 period of ten days after its sale or resale, and (C) the Commissioner of
238 Motor Vehicles may allow commercial combination vehicles to operate
239 while displaying a certificate of inspection on the tractor portion of

240 such vehicle only, provided the person, firm, corporation or
241 association which operates such vehicle has established a preventive
242 maintenance program approved by the commissioner.

243 (d) The Commissioner of Motor Vehicles shall adopt regulations in
244 accordance with the provisions of chapter 54 to carry out the purposes
245 of this section.]

246 [(e)] (b) Any person operating a commercial vehicle combination or
247 a semitrailer, as described in subsection (c) of section 14-262, in
248 violation of any provision of subsection (a) [, (b) or (c)] of this section
249 [or any regulation adopted thereunder] shall be fined one thousand
250 dollars for each offense. The Commissioner of Motor Vehicles shall
251 also suspend, for sixty days, the motor vehicle registration certificate,
252 privilege to operate or operator's license of any such person.

253 Sec. 9. (NEW) (*Effective October 1, 2007*) The Department of Motor
254 Vehicles shall require each applicant for a position of employment
255 with the department (1) to state whether the applicant has ever been
256 convicted of a crime, to state whether criminal charges are pending
257 against the applicant at the time of the application and, if so, to
258 identify the charges and court in which they are pending, and (2) if
259 offered employment with the department, to be fingerprinted and to
260 submit to state and national criminal history records checks. The
261 criminal history records checks required by this section shall be in
262 accordance with section 29-17a of the general statutes.

263 Sec. 10. Section 15-148 of the general statutes is repealed and the
264 following is substituted in lieu thereof (*Effective October 1, 2007*):

265 If a valid certificate of number or registration is lost, mutilated or
266 destroyed, the owner shall notify the Commissioner of Motor Vehicles
267 in writing within fifteen days. The owner may obtain a duplicate
268 certificate upon application to the Commissioner of Motor Vehicles
269 and upon payment of a fee of [one dollar] twenty dollars.

270 Sec. 11. Section 14-12h of the general statutes is repealed and the
271 following is substituted in lieu thereof (*Effective October 1, 2007*):

272 (a) The Commissioner of Motor Vehicles shall compile and maintain
273 a record of all registrations suspended in accordance with the
274 provisions of sections 14-12c and 14-12g. The commissioner shall
275 update the information contained in such record not less than once per
276 week and shall make available to all law enforcement agencies in this
277 state a list of all registration number plates for vehicles whose
278 registration has been suspended. Such list shall contain the number
279 plate numbers, letters or number and letter combinations and the
280 address at which the vehicle was registered. The commissioner may
281 make available the entire list or a portion thereof and may utilize one
282 or more formats for presenting the information contained therein to
283 facilitate its use.

284 (b) (1) If any police officer observes a motor vehicle being operated
285 upon the public highway, and such motor vehicle is displaying
286 registration number plates identified as suspended on the list made
287 available by the commissioner, such police officer may (A) stop or
288 detain such vehicle and its occupants, (B) issue to the operator a
289 complaint for operating an unregistered motor vehicle, or expired
290 registration if the vehicle is not being operated, in violation of section
291 14-12, and (C) remove the registration number plates from the vehicle
292 and return them to any branch office of the Department of Motor
293 Vehicles. If any police officer, motor vehicle inspector or constable
294 observes a motor vehicle parked in any parking area, as defined in
295 section 14-212, and such motor vehicle is displaying registration
296 number plates identified as suspended on the list made available by
297 the commissioner, such police officer, motor vehicle inspector or
298 constable is authorized to remove the registration number plates from
299 the vehicle and to return them to any branch office of the Department
300 of Motor Vehicles. If a number plate is identified as suspended on the
301 list provided by the commissioner and such identification is in error,
302 the state shall indemnify any police officer, motor vehicle inspector or

303 constable for any claim for damages made against that individual as a
304 result of such individual's good faith reliance on the accuracy of the list
305 provided by the commissioner regarding the confiscation of number
306 plates.

307 (2) If any police officer observes a motor vehicle being operated
308 upon the public highway or parked in any parking area, as defined in
309 section 14-212, displaying registration number plates identified on the
310 list made available by the commissioner as being suspended, such
311 police officer may seize and impound the vehicle. If a police officer
312 seizes and impounds a vehicle pursuant to this subdivision, such
313 officer shall give notice to the commissioner in such form as the
314 commissioner may require. The police officer shall give such notice not
315 later than three days after seizing and impounding the vehicle.

316 [(c) If the number plates of a vehicle, the registration of which was
317 suspended, have been confiscated, the owner of such motor vehicle
318 shall pay a confiscation fee of fifty dollars. Such confiscation fee shall
319 be collected from the owner of the motor vehicle and remitted by the
320 commissioner to the constable who confiscated the number plates or, if
321 the plates were confiscated by a police officer, such confiscation fee
322 shall be remitted to the governmental entity which employed such
323 officer at the time of the confiscation and shall be deposited in the asset
324 forfeiture fund. In the event there is no such fund, such confiscation fee
325 shall be deposited in the general fund of such entity.]

326 [(d)] (c) The owner of any motor vehicle which has been impounded
327 in accordance with the provisions of subdivision (2) of subsection (b)
328 of this section [shall not be eligible to regain possession of the vehicle
329 until he complies with the requirements of subsection (c) of this
330 section. Any such motor vehicle which is impounded for more than
331 forty-five days shall be subject to forfeiture to the state] that is not
332 reclaimed for more than forty-five days shall be subject to forfeiture to
333 the state.

334 Sec. 12. Section 14-44i of the general statutes is repealed and the

335 following is substituted in lieu thereof (*Effective October 1, 2007*):

336 (a) There shall be charged a fee of sixty dollars for each renewal of a
337 commercial driver's license.

338 (b) There shall be charged for each commercial driver's license
339 knowledge test a fee of sixteen dollars. There shall be charged for each
340 commercial driver's license skills test a fee of thirty dollars. There shall
341 be charged for each commercial driver's license learner's permit a fee
342 of ten dollars.

343 (c) There shall be charged, in addition to the fee provided in
344 subsection (b) of this section for the commercial driver's license
345 knowledge test, a fee of five dollars for each test for an endorsement to
346 a commercial driver's license. There shall be charged, in addition to the
347 fee provided in subsection (b) for such knowledge test, a fee of five
348 dollars for each test for the removal of a restriction to a commercial
349 driver's license relating to air brakes. There shall be charged, in
350 addition to the fee provided in subsection (b) for such knowledge test,
351 a fee of five dollars for each combination vehicle knowledge test.

352 [(d) The Commissioner of Motor Vehicles shall waive the fees
353 provided in subsection (b) of this section in the case of any person who
354 applies for a license with a "Z" restriction.]

355 Sec. 13. Section 22a-201 of the general statutes is repealed and the
356 following is substituted in lieu thereof (*Effective October 1, 2007*):

357 As used in sections 22a-201a to 22a-201c, inclusive:

358 (1) "Motor vehicle" means motor vehicle, as defined in section 14-1,
359 except that for purposes of this section, motor vehicle is limited to
360 vehicles with gross vehicle weight rating, as defined in section 14-1, of
361 ten thousand pounds or less, and does not include any motorcycle; and

362 (2) "Greenhouse gas" means greenhouse gas, as defined in section
363 22a-200.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	14-10(e)
Sec. 2	<i>October 1, 2007</i>	14-36g(a)
Sec. 3	<i>October 1, 2007</i>	14-289a
Sec. 4	<i>October 1, 2007</i>	14-44e(b)
Sec. 5	<i>October 1, 2007</i>	14-50(b)
Sec. 6	<i>October 1, 2007</i>	14-103a
Sec. 7	<i>October 1, 2007</i>	14-163d
Sec. 8	<i>October 1, 2007</i>	14-261a
Sec. 9	<i>October 1, 2007</i>	New section
Sec. 10	<i>October 1, 2007</i>	15-148
Sec. 11	<i>October 1, 2007</i>	14-12h
Sec. 12	<i>October 1, 2007</i>	14-44i
Sec. 13	<i>October 1, 2007</i>	22a-201

Statement of Purpose:

To correct errors and clarify existing statutes administered by the Department of Motor Vehicles, and to create efficiencies in certain Department of Motor Vehicles' business processes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]